

ENVIRONMENTAL PROTECTION AGENCY

REGION VI

1600 PATTERSON, SUITE 1100

DALLAS, TEXAS 75201

April 30, 1973

OFFICE OF THE  
REGIONAL ADMINISTRATOR

Mr. N. R. Wallner  
Plant Manager  
E. I. DuPont de Nemours & Co.  
P. O. Box 347  
LaPorte, Texas 77571

Dear Mr. Wallner:

Your application, as amended, for a permit to dump in ocean waters has been the subject of a final determination by this office, following proper public notice and a public hearing held on April 23, 1973, and findings and recommendations.

By and through my authority under P.L. 92-532 and the regulations found at 40 C.F.R. 220.4, I hereby issue your facility a permit for ocean dumping, such permit being attached hereto and numbered Permit No. 730D004. The Permittee is E. I. DuPont de Nemours and Company, Houston Plant.

In accordance with statements at the Public Hearing and telegrams subsequently received by the Hearing Officer, we understand that it will be your intention to obtain the use of additional properly equipped barges for your ocean disposal activities. In such event, please notify this office immediately of your intention to use such additional barge facilities and include the name of the owner of the barge or barges, and the name and capacity of each additional barge.

This permit has an expiration date of November 1, 1973. In the event your company desires to continue ocean disposal beyond the expiration date, your renewal application will be subject to the full time requirements for processing contained in the regulations at 40 C.F.R. 222.

Sincerely,



Arthur W. Busch  
Regional Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI  
1600 PATTERSON, SUITE 1100  
DALLAS, TEXAS 75201

**PERMIT**

Permit No. 730D004  
Name of Permittee E. I. DuPont de Nemours  
Effective Date May 1, 1973  
Expiration Date November 1, 1973

MARINE PROTECTION, RESEARCH AND  
SANCTUARIES ACT (OCEAN DUMPING) PERMIT

In reference to the following application:

Application Number: 730D004

for a permit authorizing the transportation and dumping of any material in compliance with the provisions of the Act of Congress enacted October 23, 1972, entitled The Marine Protection, Research and Sanctuaries Act of 1972, (hereinafter referred to as the Act),

E. I. DuPont de Nemours - Houston Plant,

hereinafter called permittee, is authorized to transport material for dumping from its facility at

P. O. Box 347

La Porte, Texas 77571

and to dump to ocean waters, all in accordance with the following general and special conditions:

### General Conditions

1. All transportation and dumping authorized herein shall be consistent with the terms and conditions of this permit.

2. a. Transportation to, and dumping at any location other than that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

b. Transportation and dumping of any material more frequently than or in excess of that identified and authorized by this permit, or dumping of material not authorized by this permit, shall constitute a violation of the terms and conditions of this permit.

c. Permittee shall comply with each and every condition, provision and limitation in this permit and compliance with one or more but less than all conditions, provisions and limitations shall not constitute a ground or grounds of defense in any proceeding against permittee for violation of one or more of such conditions, provisions or limitations.

3. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any term or condition of this permit;

b. Misrepresentation, inaccuracy or failure by the applicant to disclose all relevant facts in the permit application.

c. A change in any condition or material fact upon which this permit is based that requires either a temporary or permanent reduction or elimination of the authorized transportation or dumping including, but not limited to, changes in conditions at the designated dumping site, and newly discovered scientific data relative to the granting of this permit.

d. A determination by the Regional Administrator that the permitted dumping has resulted, is resulting or may result in imminent and substantial harm to human health or welfare or the marine environment.

e. Failure to keep the records and/or to notify appropriate officials of dumping activities.

4. The permittee shall allow the Regional Administrator and/or the U. S. Coast Guard, and/or their authorized representatives, upon the presentation of credentials;

a. To enter into, upon, or through the permittee's premises, vessels or other premises or vessels under the control of permittee, where, or in which, a source of material to be dumped is located or in which any records are required to be kept under the terms and conditions of this permit or the Act;

b. To have access to and copy any records required to be kept under the terms and conditions of this permit or the Act;

c. To inspect any monitoring equipment or monitoring method required in this permit; or,

d. To sample any materials discharged or to be discharged.

5. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private or public property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

6. This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or, except as authorized by this permit, the undertaking of any work in any navigable waters.

7. Within 48 hours of the completion of each barging operation, permittee shall forward by depositing in the United States mail to the Regional Administrator a report which shall be verified in accordance with the provisions of 18 U.S.C. 1001, by a responsible officer or employee of Permittee, which report shall contain as a minimum, the following:

a. The total amount of material dumped and the amounts, in percent and poundage, of each constituent thereof. The content of the constituent shall be verified by an analysis of the material dumped which shall be performed prior to such dumping operation. Records of such analyses, when requested by the Regional Administrator, shall be included with such report.

b. A statement of the Greenwich mean time at which each barging operation was commenced, the latitude and longitude of the place where each barging operation was commenced, and the Greenwich mean time and the latitude and longitude of the place where each barging operation ceased, as well as the latitude and longitude of the mid point of the course made good if such barging operation extended over a period of six hours.

c. Fathometer records of the entire run during which barging operations or dumping operations were taking place shall be submitted.

8. Permittee shall notify by telegram the U. S. Coast Guard (local Captain of the Port) and the Regional Administrator not later than 24 hours prior to the departure from permittee's facility of any tug or vessel which is to depart to sea for a barging operation. Included in such notification shall be a statement of the amount of materials to be dumped and all constituents thereof as determined by chemical analysis.

9. The permittee shall maintain complete records, which shall be available for inspection and copying by the Administrator, the Regional Administrator, or their designees, of:

a. The nature, including a complete description of relevant physical characteristics of material dumped pursuant to the permit.

b. The precise times and locations of dumping.

c. Any information relevant to the assessment of the impact of permitted dumping activities on the marine environment or human health or welfare.

10. The permittee shall, at the end of each six month period, beginning with the date of this permit, make a report to the Regional Administrator of the following information:

a. Information in the records to be kept pursuant to Paragraph 9 of the General Conditions,

b. A summary of the 48 hour reports required by Paragraph 7 of the General Conditions, and

c. Any additional records or reports required in the Special Conditions of this permit.

11. The permittee shall make an additional report in accordance with the requirements of Paragraph 10 of the General Conditions at the expiration of this permit, unless renewed.

12. Reports required by Paragraphs 10 and 11 of the General Conditions shall be received by the Regional Administrator within 30 days following the end of the required reporting period.

13. If the dumping of material which is regulated by this permit is dumped due to emergency to safeguard life at sea in locations or in a manner not in accordance with the terms of this permit, the permittee shall make a full report in accordance with the provisions of 18 U.S.C. 1001, within 30 days to the Regional Administrator of the emergency and the actions taken.

14. The reporting requirements contained in this permit are in addition to any reporting requirements of any other State or Federal Agency.

15. In the event any portion of the authorized dumping or transporting is done by a person, firm or corporation other than permittee, any and all reports required hereunder shall be jointly executed by both permittee and such other person, firm or corporation in accordance with the provisions of 18 U.S.C. 1001 by an officer or employee of such other person, firm or corporation.

16. The performance of any transportation or dumping authorized by this permit, by any person, firm or corporation other than permittee shall not relieve permittee from full responsibility for compliance herewith, nor shall the issuance of this permit to permittee relieve such other person, firm or corporation from responsibility for compliance herewith, nor shall the existence of any such contractual or other relationship between permittee and any other such person, firm or corporation operate to relieve either party from responsibility for compliance with this permit or the Act or both.

17. Terms used in this permit which are defined in Section 3 of the Act shall have the same meaning herein.

18. The applicant shall submit, within 90 days of the effective date of this permit, to the Regional Administrator and the appropriate Captain of the Port, U. S. Coast Guard, a Spill Prevention, Containment and Countermeasure Plan for any spillage or total loss of the material while loading or transporting through the territorial sea.

Special Conditions

## 1. Description of Material

In accordance with all other terms and conditions of this permit, the permittee is authorized to transport for dumping and to dump in ocean waters, material which shall not exceed in its physical and chemical characteristics the concentrations and loads listed below.

a. <u>Composition Constituents</u>	<u>Concentrations or Percentage (wt/wt)</u>	
	<u>Not to Exceed</u>	<u>Average</u>
Sodium Chloride	4.2%	2.7
Sodium Sulfate	1.4%	0.5
Sodium Bromide	0.4%	0.1
Potassium Chloride	3.0%	1.0
Methanol	3.0%	1.4
Methylene Chloride	0.4%	0.1
Formaldehyde	0.4%	0.1
Other Organics (specified in Exhibit 1 of appli- cation)	3.0%	1.0
Sodium Carbonate	0.01%	0.005
Ammonia	0.01%	0.005
<u>Metals</u>		
Barium	0.6	0.3 ppm
Cadmium*	170.0	60 ppb
Mercury*	17.0	3.0 ppb
Chromium	0.02	0.01 ppm
Zinc	3.0	1.7 ppm
Manganese	0.6	0.3 ppm
b. <u>Physical/Chemical Properties</u>		
pH	6-8 range	7.0
Specific Gravity	1.08	1.01
TOC	100,000 ppm	

\* See Special Condition No. 7

c. The character of the material being dumped shall not be altered in its content from the foregoing by the addition of wastewaters from sources other than those identified in the application or otherwise.

## 2. Amount of Material

a. The permittee is authorized to transport and dump material described in Paragraph 1 an amount not in excess of 35,000 tons per month. (tons or barrels)

b. Such transportation and dumping shall not be in excess of 4,800 tons per trip and at a frequency not to exceed 8 (tons or barrels) trips per month. If a barge with a capacity of less than 2,500 tons is used, the trips per month shall not exceed 12.

## 3. Transportation and Barging Activities

a. The port of departure for the dumping of the material described herein is LaPorte, Texas. The permittee is authorized to transport the material described herein from his facility to such port of departure to ocean waters.

b. During loading operations, there shall be no loss of material to any waterway.

c. The permittee is authorized to dump the prescribed wastes in an approved dumping site which is defined in longitude and latitude as follows:

1. 27 degrees 28 minutes north latitude
2. 27 degrees 44 minutes north latitude
3. 94 degrees 28 minutes west longitude
4. 94 degrees 44 minutes west longitude

d. Permittee shall commence dumping operations (the actual discharge of material authorized to be dumped by this permit) no earlier than 1/2 hours after sunrise and shall cease dumping operations not later than 1/2 hours prior to sunset on any day in which dumping operations take place.



e. The permittee shall regulate the dumping rate so that the material described in Special Condition 1, above, shall be discharged from a barge hereinafter identified at a rate not to exceed 7,000 lbs per minute, while moving at a speed of not less than (pounds or barrels) 5 knots.

f. In any case where the wastes are containerized, the permittee shall establish and use a system of identification for each container such that at any time later such container can be identified as specific wastes from the permittee's facility.

#### 4. Means of Transportation

a. The means of transportation shall be one of the following named vessels:

<u>Company</u>	<u>Barge</u>	<u>Capacity</u>
Port Arthur Towing Co.	PATCO-100	4,800 tons
Domar, Inc.	Z-120	2,400 tons
Domar, Inc.	Z-122	2,400 tons
DuPont, Lessee	H. L. Jacobs	2,000 tons

b. The permittee shall place this permit or a copy of this permit in a conspicuous place in the vessel which will be used for the transportation or dumping herein authorized.

#### 5. Implementation Schedules

Permittee shall submit, within ninety (90) days of the issuance of this permit, an implementation schedule, containing an enforceable sequence of actions or operations leading to (1) the elimination of ocean dumping of all the wastes referred to in the application and (2) the treatment of such waste and disposition thereof in a manner consistent with a permit issued by the Regional Administrator pursuant to Title IV of the Federal Water Pollution Control Act Amendments of 1972, not later than January 1, 1975.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI  
1600 PATTERSON, SUITE 1100  
DALLAS, TEXAS 75201

Supplement to 730D004  
Page 1 of 1

Temporary Supplement to Ocean Dumping  
Permit No. 730D004

Issued to: E. I. DuPont de Nemours & Company

P. O. Box 347

La Porte, Texas 77571

Effective Date: 1:00 p.m., July 19, 1973

Expiration Date: 12:00 midnight, July 22, 1973

These temporary changes are being issued pursuant to Public Notice, dated July 12, 1973, and a Public Hearing held on July 19, 1973.

Changes

1. Special Condition No. 1.a. Metals, is revised as follows:

Composition  
Constituents

Concentrations or  
Percentage (wt/wt)

Not to Exceed

Average

Chromium

0.8 ppm

0.4 ppm

The permittee agrees, by the issuance of this permit, and without regard to the expiration date of this temporary permit, to continue his studies on chromium analytical difficulties, leading to an accurate and definitive concentration of chromium in his wastes. If possible, such difficulties shall be resolved and definitive results obtained by August 15, 1973.

Regional Administrator  
Region VI

## 6. Studies

a. The permittee shall immediately initiate studies to determine the effects, both short-term and long-term, of his dumping activities.

b. Such studies shall include, as a minimum, the following:

1. Bioassays of this waste and its effect on marine organisms.

2. In-situ dispersion characteristics of the waste being dumped.

3. In-situ data on the bioaccumulation of the wastes, leading to an understanding of the persistence, if any, in the food web.

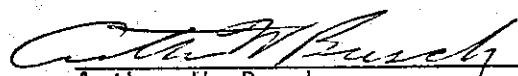
4. The studies required by b.1 and b.2 above shall be submitted within 90 days of the effective date of this permit. Data required by b.3 above shall be submitted as soon as practical, but not later than 180 days from the effective date of this permit.

7. The applicant shall, within 60 days from the effective date of this permit, identify and analyze the source of cadmium and mercury in the waste material. Within 180 days, the applicant shall have treated (or eliminated the source of) cadmium to a concentration of 1.0 ppb or less and mercury to a concentration of 3.0 ppb or less.

8. Special Condition No. 3.e insofar as it refers to the discharge rate, shall not apply until May 15, 1973. Prior to May 15, 1973, the permittee is authorized to discharge at a rate not to exceed 14,000 pounds per minute at a speed of not less than 5 knots.

MAY 01 1973

Date



Arthur W. Busch  
Regional Administrator, Region VI

ENVIRONMENTAL PROTECTION AGENCY

REGION VI

1600 PATTERSON, SUITE 1100

DALLAS, TEXAS 75201

OFFICE OF THE  
REGIONAL ADMINISTRATOR

August 22, 1973


Mr. N. R. Wallner  
Plant Manager  
E. I. DuPont de Nemours & Co.  
P. O. Box 347  
LaPorte, Texas 77571

Dear Mr. Wallner:

Your application for an amendment to your ocean dumping permit has been the subject of a final determination by this office, following proper public notice and a public hearing on August 17, 1973. Through my authority under Public Law 92-532 and the regulations at 40 C.F.R. 220.4, I hereby issue your facility an amended permit for ocean dumping, such permit being attached hereto and numbered Permit No. 730D004A.

The reporting requirements of General Condition No. 8 have been changed in the amended permit. The change permits your company to delay reporting of the metals analyses until the barge is under way or has arrived at the dump site. In addition, the 24-hour advance report has been reduced to 12 hours. The new reporting requirements will remain in effect unless experience gained prove them ineffective.

Sincerely yours,

  
Arthur W. Busch  
Regional Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI  
1600 PATTERSON, SUITE 1100  
DALLAS, TEXAS 75201

PERMIT

Permit No. 730D004A

Name of Permittee E. I. DuPont de Nemours

Effective Date August 22, 1973

Expiration Date November 1, 1973

MARINE PROTECTION, RESEARCH AND  
SANCTUARIES ACT (OCEAN DUMPING) PERMIT

In reference to the following application:

Application Number: 730D004A

for a permit authorizing the transportation and dumping of any material in compliance with the provisions of the Act of Congress enacted October 23, 1972, entitled The Marine Protection, Research and Sanctuaries Act of 1972, (hereinafter referred to as the Act),

E. I. DuPont de Nemours - Houston Plant,

hereinafter called permittee, is authorized to transport material for dumping from its facility at

P. O. Box 347

La Porte, Texas 77571

and to dump to ocean waters, all in accordance with the following general and special conditions:

PERMIT

### General Conditions

1. All transportation and dumping authorized herein shall be consistent with the terms and conditions of this permit.

2. a. Transportation to, and dumping at any location other than that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

b. Transportation and dumping of any material more frequently than or in excess of that identified and authorized by this permit, or dumping of material not authorized by this permit, shall constitute a violation of the terms and conditions of this permit.

c. Permittee shall comply with each and every condition, provision and limitation in this permit and compliance with one or more but less than all conditions, provisions and limitations shall not constitute a ground or grounds of defense in any proceeding against permittee for violation of one or more of such conditions, provisions or limitations.

3. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any term or condition of this permit;

b. Misrepresentation, inaccuracy or failure by the applicant to disclose all relevant facts in the permit application.

c. A change in any condition or material fact upon which this permit is based that requires either a temporary or permanent reduction or elimination of the authorized transportation or dumping including, but not limited to, changes in conditions at the designated dumping site, and newly discovered scientific data relative to the granting of this permit.

d. A determination by the Regional Administrator that the permitted dumping has resulted, is resulting or may result in imminent and substantial harm to human health or welfare or the marine environment.

e. Failure to keep the records and/or to notify appropriate officials of dumping activities.

4. The permittee shall allow the Regional Administrator and/or the U. S. Coast Guard, and/or their authorized representatives, upon the presentation of credentials;

a. To enter into, upon, or through the permittee's premises, vessels or other premises or vessels under the control of permittee, where, or in which, a source of material to be dumped is located or in which any records are required to be kept under the terms and conditions of this permit or the Act;

b. To have access to and copy any records required to be kept under the terms and conditions of this permit or the Act;

c. To inspect any monitoring equipment or monitoring method required in this permit; or,

d. To sample any materials discharged or to be discharged.

5. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private or public property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

6. This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or, except as authorized by this permit, the undertaking of any work in any navigable waters.

7. Within 48 hours of the completion of each barging operation, permittee shall forward by depositing in the United States mail to the Regional Administrator a report which shall be verified in accordance with the provisions of 18 U.S.C. 1001, by a responsible officer or employee of Permittee, which report shall contain as a minimum, the following:

a. The total amount of material dumped and the amounts, in percent and poundage, of each constituent thereof. The content of the constituent shall be verified by an analysis of the material dumped which shall be performed prior to actual dumping. Records of such analyses, when requested by the Regional Administrator, shall be included with such report.

b. A statement of the Greenwich mean time at which each barging operation was commenced, the latitude and longitude of the place where each barging operation was commenced, and the Greenwich mean time and the latitude and longitude of the place where each barging operation ceased, as well as the latitude and longitude of the mid-point of the course made good if such barging operation extended over a period of six hours.

c. Fathometer records of the entire run during which barging operations or dumping operations were taking place shall be submitted.

8. Permittee shall notify by telegram the U. S. Coast Guard (local Captain of the Port) and the Regional Administrator not later than 12 hours prior to the departure from permittee's facility of any tug or vessel which is to depart to sea for a barging operation. Included in such notification shall be:

- a. A statement of the amount of materials to be dumped.
- b. A chemical description, as determined by chemical analysis, of the constituents listed in Special Condition No. 1, excepting the metals.
- c. The names and registry numbers of the tug and barge scheduled for departure, and
- d. The estimated time of arrival at the dump site and the estimated time of return to port and the port of return.

Such notice shall be received by the Regional Administrator 12 hours in advance of departure or at such time greater than 12 hours to allow receipt by the Regional Administrator during normal working hours. Permittee shall notify the Regional Administrator, by direct means of communication, of the metals analysis prior to commencement of actual discharge. The permittee shall cause the master of the vessel to discharge only upon receipt of notification from the permittee to commence discharging. In the event the metals analysis exhibits concentrations in violation of the limitations of this permit, permittee shall cause the master of the vessel to not discharge and return to port.

9. The permittee shall maintain complete records, which shall be available for inspection and copying by the Administrator, the Regional Administrator, or their designees, of:

- a. The nature, including a complete description of relevant physical characteristics of material dumped pursuant to the permit.
- b. The precise times and locations of dumping.
- c. Any information relevant to the assessment of the impact of permitted dumping activities on the marine environment or human health or welfare.

10. The permittee shall, at the end of each six month period, beginning with the date of this permit, make a report to the Regional Administrator of the following information:

- a. Information in the records to be kept pursuant to Paragraph 9 of the General Conditions,
- b. A summary of the 48-hour reports required by Paragraph 7 of the General Conditions, and



c. Any additional records or reports required in the Special Conditions of this permit.

11. The permittee shall make an additional report in accordance with the requirements of Paragraph 10 of the General Conditions at the expiration of this permit, unless renewed.

12. Reports required by Paragraphs 10 and 11 of the General Conditions shall be received by the Regional Administrator within 30 days following the end of the required reporting period.

13. If the dumping of material which is regulated by this permit is dumped due to emergency to safeguard life at sea in locations or in a manner not in accordance with the terms of this permit, the permittee shall make a full report in accordance with the provisions of 18 U.S.C. 1001, within 30 days to the Regional Administrator of the emergency and the actions taken.

14. The reporting requirements contained in this permit are in addition to any reporting requirements of any other State or Federal Agency.

15. In the event any portion of the authorized dumping or transporting is done by a person, firm or corporation other than permittee, any and all reports required hereunder shall be jointly executed by both permittee and such other person, firm or corporation in accordance with the provisions of 18 U.S.C. 1001 by an officer or employee of such other person, firm or corporation.

16. The performance of any transportation or dumping authorized by this permit, by any person, firm or corporation other than permittee shall not relieve permittee from full responsibility for compliance herewith, nor shall the issuance of this permit to permittee relieve such other person, firm or corporation from responsibility for compliance herewith, nor shall the existence of any such contractual or other relationship between permittee and any other such person, firm or corporation operate to relieve either party from responsibility for compliance with this permit or the Act or both.

17. Terms used in this permit which are defined in Section 3 of the Act shall have the same meaning herein.

18. The applicant shall submit, within 90 days of the effective date of this permit, to the Regional Administrator and the appropriate Captain of the Port, U. S. Coast Guard, a Spill Prevention, Containment and Counter-measure Plan for any spillage or total loss of the material while loading or transporting through the territorial sea.

Special Conditions

## 1. Description of Material

In accordance with all other terms and conditions of this permit, the permittee is authorized to transport for dumping and to dump in ocean waters, material which shall not exceed in its physical and chemical characteristics the concentrations and loads listed below.

a. Composition  
ConstituentsConcentrations or  
Percentage (wt/wt)Not to ExceedAverage

Sodium Chloride	4.2%	2.7
Sodium Sulfate	1.4%	0.5
Sodium Bromide	0.4%	0.1
Potassium Chloride	3.0%	1.0
Methanol	3.0%	1.4
Methylene Chloride	0.4%	0.1
Formaldehyde	0.4%	0.1
Other Organics (specified in Exhibit 1 of appli- cation)		
Sodium Carbonate	3.0%	1.0
Ammonia	0.01%	0.005
	0.01%	0.005
<u>Metals</u>		
Barium		
Cadmium*	0.6	0.3 ppm
Mercury*	170.0	60 ppb
Chromium	17.0	3.0 ppb
Zinc	0.8	0.4 ppm
Manganese	3.0	1.7 ppm
	0.6	0.3 ppm

b. Physical/Chemical Properties

pH	6-11 range	8.0
Specific Gravity	1.08	1.01
TOC	100,000 ppm	

\*See Special Condition No. 7

c. The character of the material being dumped shall not be altered in its content from the foregoing by the addition of wastewaters from sources other than those identified in the application or otherwise.

## 2. Amount of Material

a. The permittee is authorized to transport and dump material described in Paragraph 1 an amount not in excess of 45,000 tons per month. (tons or barrels)

b. Such transportation and dumping shall not be in excess of 4,800 tons per trip and at a frequency not to exceed 9 (tons or barrels) trips per month. If a barge with a capacity of less than 2,500 tons is used, the trips per month shall not exceed 18.

## 3. Transportation and Barging Activities

a. The port of departure for the dumping of the material described herein is La Porte, Texas, or such other port being used for storage of the waste, subject to the requirements of General Condition No. 8. The permittee is authorized to transport the material described herein from his facility to such port of departure to ocean waters.

b. During loading operations, there shall be no loss of material to any waterway.

c. The permittee is authorized to dump the prescribed wastes in an approved dumping site which is defined in longitude and latitude as follows:

1. 27 degrees 28 minutes north latitude
2. 27 degrees 44 minutes north latitude
3. 94 degrees 28 minutes west longitude
4. 94 degrees 44 minutes west longitude

d. Permittee shall commence dumping operations (the actual discharge of material authorized to be dumped by this permit) no earlier than 1/2 hours after sunrise and shall cease dumping operations not later than 1/2 hours prior to sunset on any day in which dumping operations take place.

e. The permittee shall regulate the dumping rate so that the material described in Special Condition 1, above, shall be discharged from a barge hereinafter identified at a rate not to exceed .7,000 lbs per minute, while moving at a speed of not less than (pounds or barrels) 5 knots.

f. In any case where the wastes are containerized, the permittee shall establish and use a system of identification for each container such that at any time later such container can be identified as specific wastes from the permittee's facility.

#### 4. Means of Transportation

a. The means of transportation shall be one of the following named vessels:

<u>Company</u>	<u>Barge</u>	<u>Capacity</u>
Port Arthur Towing Co.	PATCO-100	4,800 tons
Domar, Inc.	Z-120	2,400 tons
Domar, Inc.	Z-122	2,400 tons
DuPont, Lessee	H. L. Jacobs	2,000 tons
Port Arthur Towing Co.	Triton	4,800 tons
Domar, Inc.	Z-110	1,400 tons

b. The permittee shall place this permit or a copy of this permit in a conspicuous place in the vessel which will be used for the transportation or dumping herein authorized.

#### 5. Implementation Schedules

Permittee shall submit, within ninety (90) days of the issuance of this permit, an implementation schedule, containing an enforceable sequence of actions or operations leading to (1) the elimination of ocean dumping of all the wastes referred to in the application and (2) the treatment of such waste and disposition thereof in a manner consistent with a permit issued by the Regional Administrator pursuant to Title IV of the Federal Water Pollution Control Act Amendments of 1972, not later than January 1, 1975.

## 6. Studies

a. The permittee shall immediately initiate studies to determine the effects, both short-term and long-term, of his dumping activities.

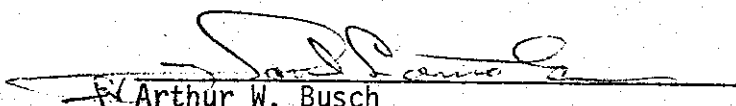
b. Such studies shall include, as a minimum, the following:

1. Bioassays of this waste and its effect on marine organisms.
2. In-situ dispersion characteristics of the waste being dumped.
3. In-situ data on the bioaccumulation of the wastes, leading to an understanding of the persistence, if any, in the food web.
4. The studies required by b.1 and b.2 above shall be submitted within 90 days of the effective date of this permit. Data required by b.3 above shall be submitted as soon as practical, but not later than 180 days from the effective date of this permit.

7. The applicant shall, within 60 days from the effective date of this permit, identify and analyze the source of cadmium and mercury in the waste material. Within 180 days, the applicant shall have treated (or eliminated the source of) cadmium to a concentration of 1.0 ppb or less and mercury to a concentration of 3.0 ppb or less.

Date

22 August 1973

  
Arthur W. Busch

Regional Administrator, Region VI